

Notice of Allowability

Application No.

10/028,355

Examiner

Isaac T. Tecklu

Applicant(s)

EVANS, DANIEL

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/29/2006.
2. ☒ The allowed claim(s) is/are 1,5-11, 13-20, 22, 23, 25-27, 29 and 30 (renumbered as 1-23).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

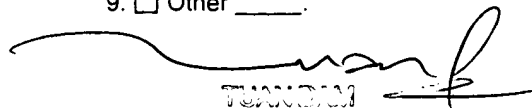
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUNG
SUPERVISORY PATENT EXAMINER

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DETAILED ACTION

1. This action is responsive to the supplemental amendment filed on 12/29/2006.
2. Claims 1, 5, 8-9, 11, 13, 20, 22-23 and 27 have been amended.
3. Claims 2-4, 12, 21, 24 and 28 have been cancelled.
4. Claims 1, 5-11, 13-20, 22-23, 25-27, 29 and 30 are pending and being allowed.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appear below. Should the change and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it MUST be submitted no later than the payment of issue fee.

Authorization for examiner's amendment was given in a telephone interview with Brandi W. Sarfatis Registration No. 37, 713 on February 20, 2007, to change the dependency of claim 22. The application has been amended as follows:

IN THE CLAIMS:

Claim 22 is amended as follows:

At line 1, after "[[21]]" replace 22 by 20.

--End--

Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowance:

As applicant pointed out under Remark section, pages 9-11, Shen et al. (US 7,031,444) does not disclose at least the following steps:

“compiling the VoiceXML document into executable code, the executable code including marker information including at least one marker for identifying at least one VoiceXML element and a respective location of the at least one VoiceXML element within the XML document ... executing the trapped VoiceXML document in an execution tracking mode as a function of the marker information.” and/or in as such a manner as recited in independent claims 1, 11 and 20.

“ displaying a list of at least a portion of the VoiceXML document... transmitting at least one further tracking command message to the execution client, the at least one further tracking command message comprising a tracking command message selected from a group consisting of interrogate a parameter of the VoiceXML document, continue execution with tracking, and continue execution without tracking, ... highlighting at least one portion of the VoiceXML document test ... wherein the execution client executes the VoiceXML document in an execution tracking mode as a function of at least one further tracking command message” and or in as such a manner as recited in independent claims 23 and 27.

Prior arts of record do not teach and/or fairly suggest these claimed limitations, thus, all remaining pending claims 1, 5-11, 13-20, 22-23, 25-27, 29 and 30 are allowed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac Tecklu whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TUAN Q. DAM
SUPERVISOR

Isaac Tecklu

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